

STATE OF NEW MEXICO, ex rel.,) No. 68cv07488 MV/JHR
STATE ENGINEER, et al.)
) Rio Santa Cruz Adjudication
Plaintiffs,)
) and
v.)
) No. 70cv08650 MV/JHR
JOHN ABBOTT, et al.) Rio de Truchas Adjudication
)
Defendants.) Consolidated
)

This matter comes before the Court upon the *Joint Motion to Amend and Extend Order Protecting Confidentiality of Settlement Negotiations* filed by certain parties (“Negotiation Parties”) to this case who are now attempting to reach a comprehensive settlement agreement in this case on the water rights claims of both the Pueblo of Ohkay Owingeh and Santa Clara Pueblo and those of the United States of America (“United States”) on behalf of Ohkay Owingeh and Santa Clara Pueblo. Following the October 5, 2020 joint motion filed by these parties, the Court entered the October 6, 2020 *Order Granting Joint Motion for Order Protecting Confidentiality of Settlement Negotiations*, ECF No. 3011, which, by its terms, contemplated that the Negotiation Parties were attempting to settle only Ohkay Owingeh’s water rights claims and those of the United States on behalf of Ohkay Owingeh. The Negotiation Parties have since determined and agreed that their settlement discussions also should be extended to encompass a potential settlement in the present case of Santa Clara Pueblo’s water rights claims and those of

the United States on behalf of Santa Clara Pueblo. In order to provide favorable conditions for the success of the negotiations, and for other good cause shown, the joint motion is GRANTED, and IT IS HEREBY ORDERED that all provisions of the October 6, 2020 *Order Granting Joint Motion for Order Protecting Confidentiality of Settlement Negotiations* – including without limitation provisions concerning oral and written statements made in the course of discussions; the marking of confidential settlement documents; the participation of consultants, experts, or mediators in the negotiations; the disclosure of information regarding the substance of the negotiation process to persons not participating in the negotiations; and the New Mexico Inspection of Public Records Act (Section 14-2-1 et seq. NMSA 1978) or the Freedom of Information Act (5 U.S.C. Section 552) – shall apply to any discussions and exchanges concerning the Santa Clara Pueblo’s water right claims and those of the United States as trustee for Santa Clara Pueblo in this case. This Order extends the provisions of the Court’s October 6, 2020 *Order Granting Joint Motion for Order Protecting Confidentiality of Settlement Negotiations* to discussions and exchanges concerning Santa Clara Pueblo and the United States as trustee for Santa Clara Pueblo, but in no way limits the October 6, 2020 Order’s application to discussions and exchanges concerning Ohkay Owingeh and the United States as trustee for Ohkay Owingeh.

SO ORDERED, this 4th day of May, 2021.


JERRY H. RITTER
United States Magistrate Judge